

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Kristin Worth, Austin Dye, Axel Anderson,  
Minnesota Gun Owners Caucus,  
Second Amendment Foundation,  
Firearms Policy Coalition, Inc

Plaintiffs,

vs.

AMENDED  
SETTLEMENT CONFERENCE ORDER

John Harrington, in his individual capacity  
and in his official capacity as Commissioner  
of the Minnesota Department of Public Safety,

Defendant.

Court File No. 21-cv-1348 (KMM/LIB)

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Due to a change in the Court's calendar, the Local Rule 16.5(b), a Settlement Conference in the above-entitled matter is RESCHEDULED for **Wednesday, August 31, 2022, at 10:00 a.m.**, before Magistrate Judge Leo I. Brisbois, in Courtroom No. 3, Gerald W. Heaney Federal Building and U.S. Courthouse and Customhouse, 515 W. First St., Duluth, Minnesota.

Counsel who will actually try the case and each party, armed with full settlement discretion, shall be present in person. If individuals are parties to this case, they shall also be present. If a corporation or other collective entity is a party, a duly authorized officer or managing agent of that party shall be present. This means that each party must attend through a person who has the power to change that party's settlement posture during the course of the conference. **If the party representative has a limit or "cap" on his or her authority, this requirement is not satisfied.**

If an insurance company is involved, the responsible agent must be present in person.

The parties shall note that the Settlement Conference will not be terminated to accommodate any travel plans. If needed, hotel reservations should be made in advance of the conference to accommodate continuing settlement efforts that extend past the usual business hours.<sup>1</sup>

In order to encourage the parties to address the issue of settlement on their own, counsel for all parties must engage in direct talks (email or letter exchanges will not be considered to be direct talks) at least ten (10) days prior to the date of the Settlement Conference, to engage in a full and frank discussion of settlement. If the case does not settle, **each attorney shall submit to the undersigned, at least one (1) week before the date of the Settlement Conference, a confidential letter** setting forth the parties' respective settlement positions before the meeting, their respective positions following the meeting, and a reasoned, itemized analysis justifying their client's last stated settlement position. **This confidential letter shall be submitted directly to Magistrate Judge Leo I. Brisbois by email to the following address: [brisbois\\_chambers@mnd.uscourts.gov](mailto:brisbois_chambers@mnd.uscourts.gov).** Failure of any lawyer to submit this letter may, in the Court's discretion, result in the Settlement Conference being rescheduled and the imposition of an appropriate sanction on the attorney whose failure caused the conference to be postponed. Additional sanctions may be imposed for failure to comply with any of the other foregoing instructions.

BY THE COURT:

DATED: June 10, 2022

s/Leo I. Brisbois  
Leo I. Brisbois  
U.S. MAGISTRATE JUDGE

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<sup>1</sup> If the parties reach an impasse and are unable to settle this case at this Court-mediated Settlement Conference, the parties are strongly encouraged and expected to fully explore other options for participation in private ADR in an effort to see if settlement efforts may be restarted and the case resolved by mutual agreement prior to the date certain trial date set by the District Judge. The parties should submit a joint report to the Magistrate Judge via CM/ECF on the outcome of any such private ADR efforts.